



CIVIL LAW TIDBITS

A Monthly Info Sheet

*One Page
One Topic*

374 AW/JAC

OCTOBER 1996

Civil Law What do we do?

An easy definition: If it's not Military Justice or Claims, it's handled by Civil Law

JOB #1: Administrative Discharges

Other Responsibilities:

Barments/Warning Letters
Suspension/Revocation of AAFES or
Commissary Privileges
Front Desk Duties - Powers of
Attorney and Notaries
Legal Assistance
Preventive Law
Labor Law
Legal Reviews of:
FOIA/Privacy Act requests
EOT Complaints
Demotions
Security Incidents/Violations
Commercial Sponsorships
Suspensions/Revocations of
Driving Privileges
Line of Duty Determinations
Private Organization Activities
"Cats & Dogs" (Is it legal?)

CIVIL LAW STAFF

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General Fogelman's Standards of Accountability have prompted changes to AFI 36-2907, Unfavorable Information File (UIF) Program.

An Overview of UIFs

Amn Tonya Lee Paralegal

1. What is a UIF?

An official record which documents administrative, judicial and nonjudicial censures concerning a member's performance, behavior, responsibility, etc.

2. What information is contained in a UIF?

a) optional documents, b) mandatory documents, c) AF Form 1137, Unfavorable Information File Summary, and d) AF Form 1058, Unfavorable Information File Actions.

3. What documents are optional for a UIF?

For enlisted members: Letters of Admonitions (LOA), Letters of Counseling (LOC), Letters of Reprimand (LOR), Article 15s with punishment 1 month or less.

For officers: LOA, LOC

CC may include an earlier administrative action in the UIF **so long as** the date of action or the document is **within 6 months** of this

action. CC may not include an earlier administrative action if member has reenlisted since the date of document.

4. What are the procedures for placing an optional document in a UIF?

a) CC refers optional document and AF Form 1058 to member, b) Within 3 duty days, member must acknowledge intended UIF action and provide information to CC, c) CC advises member of his/her decision, d) Any document or statement provided by member must be filed in UIF.

5. How long are optional documents maintained in a UIF?

For enlisted members: 1 yr from the date CC signs Section V of AF Form 1058.

For officers: 4 yrs from the date CC signs Section V of AF Form 1058 or PCS plus 1 yr, whichever is later.

6. What documents are mandatory for a UIF?

Con't on Reverse

GOALS:

We in Civil Law constantly strive to give our customers the best service possible. The following is an evolving list of goals that Civil Law strives to attain:

1. 90% of notification for admin discharge cases processed within 15 days
2. Reduce the days between incident date and initiation for discharges
3. Prepare admin discharge booklet for Commanders and First Sergeants
4. Publish monthly Civil Law info sheet
5. Meeting general suspenses, legal reviews/opinions; Goal - 85%
6. Prepare barment/warning letter within 2 days of receiving report; Goal - 100%
7. Appeals of barment - response within 2 days of receipt; Goal - 100%

We will maintain quality service while reaching these goals.

DON'T FORGET - WE ARE HERE TO
SERVE YOU.
IF YOU HAVE QUESTIONS ABOUT
CIVIL LAW,
DON'T HESITATE TO CALL!

Con't from Front

For enlisted members: a) Article 15s with punishment exceeding 1 month, b) courts-martial or civilian convictions, c) Control Roster Action, d) Substance Abuse Reorientation & Treatment (SART) program Track 4 or 5 for drug abuse or Track 4 failure.

For officers: a) LOR, b) Article 15s, c) courts-martial or civilian convictions, d) Control Roster Action, e) SART Track 4 or 5 for drug abuse or Track 4 failure.

7. How long are mandatory documents maintained in a UIF?

For enlisted members:

Article 15s (completion of punishment or suspension) = 2 yrs from date CC signs items 6-8 of AF Form 3070

Court-Martial or civilian conviction = date punishment should be completed, not exceeding 2 yrs from date sentence was adjudged;

Control Roster Action (completion) = 1 yr from date CC signs Section V of AF Form 1058;

SART Track 4 or 5 for drug abuse or Track 4 failure (1 yr from effective date)

For officers:

LOR = 4 yrs from date CC signs Section V of AF Form 1058 or PCS plus 1 yr, whichever is later;

Article 15s (completion of punishment or suspension) = 4 yrs from the date CC signs items 6-8 of AF Form 3070 or PCS plus 1 year, whichever is later;

Court-Martial or civilian conviction = 4 yrs from date sentence adjudged or PCS plus 1 year, whichever is later;

Control Roster Action (completion) = 1 yr from date CC signs Section V of AF Form 1058;

SART Track 4 or 5 for drug abuse or Track 4 failure = 1 yr from effective date.

See Tables 2.1 and 2.2 for more details.

8. Under what circumstances may a UIF or its documents be removed?

For enlisted members: a) early removal is CLEARLY WARRANTED and furthers the interests of the Air Force; b) upon receipt of record of action from SJA showing that Article 15, UCMJ, was set aside or that a civilian conviction was overturned.

For officers: only "b" above.

ADDITIONAL UIF TIDBITS

* CC & SJA review UIFs annually.

* CC discusses early removal of a UIF document with SJA & MPF.

* SJA or MPF Chief may recommend UIF action to CC.